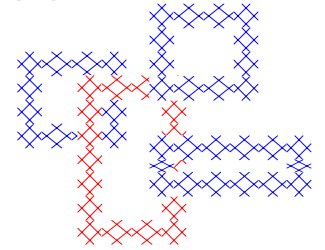


CHRO Newsletter

Civilian Human Resources Office



4th of July Independence Day

Don't miss it!!

- Training Announcements

See the back page

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CAREER LADDER POSITIONS

*Story by US Employment/
Classification Section*

Career Ladder Positions consist of positions with grades ranging from the lowest level at which management chooses to recruit and hire an individual as a trainee, up to the full performance level.

Career Ladder Promotion is the normal line of progression to which an employee may advance non-competitively (i.e., without competition) to reach the full performance level of a particular job.

To add flexibility in hiring, management can choose to advertise and hire below the target (full performance) grade of a position (ex. GS-7 position advertised as a GS-6/7 or GS-11 position advertised as a GS-5/7/9/11).

The grades for which the position is advertised are based on the normal line of progression of the position. In other words, if the position is a one-grade interval position, then it will be advertised in one-grade increments. If the position is a two-grade interval, it will be advertised in two-grade increments. This allows for growth potential of applicants as well as a larger pool of applicants from which managers can select.

Once an applicant is selected at the lower grade, they no longer have to compete for promotion within that position. However, Career Ladder Promotions are NOT automatic and are NOT guaranteed. Promotion to the next higher grade is at management's discretion.

Managers are responsible



ble for tracking the promotion eligibility date(s) of each of their employees in career ladder positions and ensuring the promotion request is submitted in accordance with the Human Resources Service Center (HRSC)-Pacific business practices.

Any action affecting pay will be made effective the first day of a pay period. If the promotion eligibility was met in the middle of the pay period and the request to promote received in accordance with the HRSC-Pacific business practices, then the promotion will be made effective the first day of the next pay period. However, if the promotion request was NOT received prior to the proposed effective date and/or is received after the time allowed by the HRSC-Pacific business practices, the promotion can NOT be effected retroactively.



Career Ladder Positions

Household Goods (HHG) Weight

Story by US Employment/Classification Section

One question this office receives quite frequently is, "What is my household goods weight limit when I PCS out of here?" As with most questions we receive in the CHRO, the answer is "it depends."

Per the Joint Travel Regulations (JTR), Volume 2, Chapter 5, the maximum authorized HHG weight allowance when traveling to Okinawa is not to exceed 4,500 pounds. This is due to the fact that government furniture is available for accompanied employees, and Okinawa is considered a weight-restricted area. The exception to this 4,500 pound maximum weight is for unaccompanied employees. They may receive an additional weight allowance upon initial travel to Okinawa.

as government furniture, in most cases, is not available to them.

When PCSing from Okinawa, a few things are taken into consideration before authorizing the HHG weight allowance. The first consideration is the number of tours completed in Okinawa. The second consideration is where the employee is traveling: CONUS, or another overseas location? The third consideration is the amount of weight authorized upon the employee's initial move to Okinawa.

To help break this down and lessen the confusion when PCSing from Okinawa, Marine Corps Base Policy Letter 1-04 was published in Feb 2004. Specifically it states that when employees exercise PCS travel from Okinawa to the US or another overseas location, including

mainland Japan, HHG weight allowance will be limited to 4,500 pounds. However, the CHRO may increase the HHG weight allowance when an employee meets one of the following conditions:

- ◆ Employee completes overseas duty of 36 months or more, but less than 48 months at one permanent duty station (PDS) – HHG weight allowance authorized is NTE 6,500 pounds
- ◆ Employee completes overseas duty of 48 to 60 months at one PDS – HHG weight allowance authorized is NTE 9,000 pounds.
- ◆ Employee completes overseas duty of more than 60 months at one PDS -- HHG weight allowance authorized is

NTE 18,000 pounds, to include shipment of nontemporary storage (NTS).

If an administrative error occurred upon initial PCS to Okinawa, e.g., employee was mistakenly authorized more than 4,500 pounds HHG weight allowance, exceptions to the above limitations may apply. Determinations will be made on a case-by-case basis. The maximum HHG weight allowance authorized under any conditions, to include all NTS, is 18,000 pounds.

Questions regarding travel orders and shipment of HHG may be directed to the U.S. Employment and Classification Section at 645-7547.



myPay—*Story by Information Systems Specialist*

The number of Leave and Earnings Statements (LES) available from myPay has increased from two to sixteen. If you have not already signed up for myPay and wish to do so, you may visit www.mypay.dfas.mil to register. Follow the instructions on the screen to obtain your Personal Identification Number (PIN), if you do not already have one. Once you have established your PIN you can turn the paper copy of the LES off. Questions/concerns about myPay can be directed to the U.S. Employment & Classification Section at 645-7547.

Employee Benefits Information System

Story by Information Systems Specialist

Current Appropriated Fund civilian employees have access to general and personal benefits information, the ability to receive retirement estimates, and make changes electronically for health insurance, life insurance, and the Thrift Savings Plan (TSP). If you do not already have an account with EBIS, visit this site <https://www.civilianbenefits.hroc.navy.mil/> to enroll. Questions/concerns about EBIS can be directed to the U.S. Employee & Labor Relations/

Benefits Section at 645-7548.

For step-by-step access instructions for both of the sites listed above, send an email to chro@mcbbutler.usmc.mil. An electronic copy of the instructions will be sent to the email address you provide. The file will be in pdf format; therefore, you must have the Adobe Acrobat application installed on your computer to read the files.



Employees are entitled to annual leave management has a stake

Story by U.S. Employee & Labor Relations/Benefits Section

Employees are entitled to annual leave, but management must be able to ensure adequate staffing levels to get necessary work done. Here, adapted from **Office of Personnel Management** guidance, are some frequently asked questions and answers about employee annual leave benefits.

When can annual leave be used?

An employee may use annual leave for vacations, rest and relaxation, and personal business or emergencies. An employee has a right to take annual leave, subject to the right of the supervisor to schedule the time at which annual leave may be taken. Employees will receive a lump-sum payment for accumulated and accrued annual leave when they separate from Federal service, or go on active duty in the armed forces and elect to receive a

lump-sum payment.

How is annual leave accrued?

Employees accrue leave based on their length of service. Full-time employees with less than three years of service accrue four hours per pay period. Employees with three years but less than 15 years of service accrue six hours per period, except for the last period, in which they accrue 10 hours. Employees with 15 or more years of service accrue 8 hours per pay period.

Part-time employees with less than three years of service accrue one hour of annual leave for each 20 hours in a pay status. Part-time employees with more than 3 years but less than 15 years of service accrue one hour of annual leave for each 13 hours in a pay status. Part-time employees with 15 or more years of service accrue one hour of annual leave for each 10 hours in a pay status.

Can supervisors authorize advance annual leave?

Supervisors may grant advance annual leave consistent with agency policy. The amount of annual leave that may be advanced is limited to the amount of annual leave an employee would accrue in the remainder of the leave year. Employees do not have an entitlement to advance annual leave. In most cases, when employees who are indebted for advance annual leave separate from Federal service, they are required to refund the amount of advance leave for which they are indebted.

Are there ceilings on the amount of leave that can be accrued?

Yes. Federal employees stationed within the United States can carry over a maximum of 30 days into the next leave year. Certain Federal employees stationed overseas can carry over 45 days, and members of the Senior Executive Service can carry over 90 days.

Can forfeited annual leave be restored?

Yes, in certain situations. Annual leave that was forfeited because it was in excess of the maximum amount permitted for carry-over into the next leave year may be restored because of an administrative error, exigency of the public business, or sickness of the employee. The annual leave must be restored in a separate leave

account. Leave that is forfeited because of an exigency of the public business or sickness of the employee may be considered for restoration only if the annual leave was scheduled in writing before the start of the third bi-weekly pay period prior to the end of the leave year.

The determination as to what constitutes an administrative error is the responsibility of the employing agency. A determination that an exigency is of major importance and that excess annual leave cannot be used must be made by the head of the agency or designee.

Can restored leave that is not used within the established time limits be restored a second time?

No. The **Comptroller General** has ruled consistently that if restored leave is forfeited

again, there is no legal authority for its further restoration. Any restored leave unused at the expiration of the established time limits is again forfeited with no further right to restoration. In addition, administrative error may not serve as the basis to extend the time limit for using restored annual leave. This is so even if the agency fails to establish a separate leave account, fix the date for the expiration of the time limit, or properly advise the employee regarding the rules for using restored annual leave absent agency regulations requiring otherwise.

What are the time limits for using restored leave?

Restored annual leave must be scheduled and used not later than the end of the leave year ending two years after:

- ◆ The date of restoration of the annual leave forfeited because of administrative error;
- ◆ The date fixed by the head of the agency or designee as the date of termination of the exigency of the public business; or
- ◆ The date the employee is determined to be recovered and able to return to duty.

*The above limitations do not apply to **Department of Defense** employees at installations undergoing closure or realignment. The time limits for using annual leave restored because of an "extended" exigency are found in 5 CFR 630.309. If you have any questions please call the Employee Relations Section at 645-7548.*



FEGLI OPEN SEASON BEGINNING

Story by U.S. Employee & Labor Relations/Benefits Section

The Office of Personnel Management (OPM) will be holding an Open Season from **1 Sep to 30 Sep 04** to celebrate the 50th anniversary of the Federal Employee Group Life Insurance (FEGLI) Program.

The FEGLI program consists of basic life insurance coverage and three options that include

coverage for up to five times an employee's base salary plus coverage for family members. In most cases, a new Federal employee is automatically covered by basic life insurance. The types and amounts of coverage available are not changing.

During the open season, Federal employees in eligible positions will be able to enroll in the FEGLI program

or increase or change current coverage without having a physical or answering any questions about their health. The earliest that newly elected coverage will be effective is 1 Sep 05.

OPM will have a special FEGLI 2004 open season website set up prior to the start of the open season which will contain an election form and more information about the program.

The Federal government established the FEGLI program on 29 Aug 54. It is the largest group life insurance program in the world, covering over 4 million Federal employees and retirees, as well as many of their family members.

For additional information, please contact the U.S. Employee & Labor Relations/Benefits Section at 645-7548.

Prohibited Personnel Practices

Story by U.S. Employee & Labor Relations/Benefits Section

Prohibited personnel practices are just what the term suggests--a list of actions that those with personnel authority over others (i.e., managers and supervisors) are legally prohibited from taking. The list of prohibited practices is contained in law, specifically 5 U.S.C. 2302(b), and forbids the following actions:

1. Discriminating on the basis of race, color, religion, sex, national origin, age, handicapping condition, marital status, or political affiliation.
2. Soliciting or considering any personnel recommendation

that is not based on a personal knowledge or records of job-related factors such as performance, ability, aptitude, general qualifications, character, loyalty, or suitability.

3. Coercing an employee to perform or support political activity.
4. Deceiving or deliberately obstructing any person who is attempting to compete for employment.
5. Influencing or attempting to influence any person to withdraw from competition for the purpose of improving or

injuring the prospects of another person for employment.

6. Granting any preference or advantage not authorized by law, regulation, or rule to any employee or applicant to improve or injure the prospects of another applicant.
7. Hiring, promoting, or influencing the hiring or promotion of a relative.
8. Retaliating against an employee for whistleblowing activity.
9. Retaliating against employees or applicants for exercising their appeal rights; for testifying or cooperating with an In-

spector General or the Special Counsel; or for refusing to comply with an instruction that would require him/her to break the law.

10. Discriminating based on personal conduct or actions that do not adversely affect an employee or applicant's job performance.
11. Violating any law, rule, or regulation implementing or directly concerning merit principles.
12. Violating veteran's preference by taking or failing to take a personnel action.

U.S. Employee CLOSE-OUT Rating Reminder



Story by U.S. Employee & Labor Relations/Benefits Section

Summer is here and PCS moves have started. Departing Division Heads and supervisors are reminded that appropriated fund employee close-out rat-

ings should be accomplished. The annual performance rating period ends on 30 Sep 04. If the incoming supervisor has not observed the employee's performance for at least 90 days, the close-out rating will be the rating of record. The nomination/justification for awards from a departing supervisor will also be submitted at the end of the performance

appraisal period. Out-going Division Heads/supervisors **should not discuss** awards with employees until they have been approved and are ready to be presented. Please call the U.S. Employee & Labor Relations/Benefits Section at 645-7548 for further guidance.

IAA (*The Incorporated Administrative Agency*)
 LMO (*Labor Management Organization*)
 GOJ (*Government of Japan*)
 MLC (*Master Labor Contract*)
 IHA (*Indirect Hire Agreement*)



Sample Audit Program For MLC/IHA

Story by JN Classification Unit

To ensure the classification accuracy of our JN positions, the JN Labor Section administers a sample audit program for Master Labor Contract (MLC) and Indirect Hire Agreement (IHA) positions. MLC and IHA positions are randomly selected each month for sample audits. Once the positions are selected, letters are sent to supervisors asking them to review the accuracy of the task lists and update them if necessary, and to complete the classification accuracy review check lists. Upon receipt of the responses from the supervisors, a member of our staff will contact the supervisors or employees to schedule desk audits. Once

the classification review is completed, the supervisor will be notified if the position classification is accurate. If the classification is determined to be inaccurate, then the notification letter will be sent to the supervisor with recommendation to correct the inadequacy. In such cases, supervisors should consider taking one of following actions:

The incumbent is performing higher-level work responsibilities than the current position classification and grade — Before considering upgrading the position, supervisors should check the work distribution within the organization. If the employee is performing another position's duties, managers

may need to redistribute the work and make sure that the employee is assigned to appropriate duties.

The incumbent is performing lower level work responsibilities than the current position classification and grade — Before considering downgrading the position, supervisors should ensure that the employee is assigned to appropriate duties. If necessary, supervisors may need to increase the level of responsibilities to match the current grade level.

The incumbent is performing duties that do not correspond to the current position classification — Before considering changing the position title, supervisors

should ensure that the employee is assigned to appropriate duties. If necessary, supervisors may need to change assigned duties to match the current job definition.

The purpose of the sample audit program is to check the accuracy of the position classification and not to impact the current position classification. However, if the activity is unable to correct the assigned duties as stated above, the JN Labor Section will advise management to submit an official reclassification action. If you have any questions, please contact the JN Classification Unit at 645-5407.

Commutation Allowance

Story by JN Employment Unit

Commutation Allowance is a payment authorized for most Master Labor Contract (MLC) and Indirect Hire Agreement (IHA) employees. The amount is based on the type of transportation used and the distance from the employee's home to his/her work place. To receive this allowance, employees are required to submit specified forms to the Independent Administrative Agency/Labor Management Organization (IAA/LMO). Retroac-

tive payments will not be made if forms aren't filed in a timely manner.

When an employee is to be reassigned from one base to another, e.g., Camp Foster to Camp Kinser, it is the employee's responsibility to resubmit the commutation allowance forms to be properly compensated. It is the manager's responsibility to prepare the necessary Personnel Action Request to reflect this change in work site.

Awards Program

Story by JN Employee/Labor Relations Unit

The MLC and IHA monetary awards program consists of Sustained Superior Performance Awards (SSPA), Special Acts/Services Awards (SASA), Customer Service Awards (CSA), and Beneficial Suggestions. The program is funded completely by the Government of Japan (GOJ). Once the Japanese Fiscal Year (JFY) 2004 funds are budgeted around July, the Civilian Human Resources Office (CHRO) will allocate the funds to each

activity. CHRO will send out the announcement letter along with instructions and sample justifications to each activity in August and September. Supervisors/managers should submit awards nominations (USFJ Form 12) for their employees by November or December. Activities are responsible for managing and spending the allocated funds. Please note that if the activities do not spend all their funds, they will not be carried over to the next fiscal year.



What you should know about Sexual Harassment...

Sexual harassment is not only about flirting... It's about power.

Story by EEO, Workforce Development & Diversity Section

Sexual harassment is sexual behavior that is deliberate and/or repeated, and is not welcome, not asked for, or not returned. It is a form of sex discrimination that violates Title VII of the

Civil Rights Act of 1964.

The Equal Employment Opportunity Commission (EEOC) guidelines state that unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment

when they:

- ◆ Are part of a manager's or supervisor's decision to hire or fire.
- ◆ Are used to make other employment decisions such as pay, promotion, or job assignment.

- ◆ Interfere with an employee's work performance.
- ◆ Create an intimidating, hostile, or offensive work environment.



Types of Sexual Harassment

Quid Pro Quo

This for That (Sexual favors for something in return)

Example: "Sleep with me and I'll give you a promotion."

Requests for sexual favors in exchange for employment opportunities. Employees who do not comply may suffer retaliation.

Third Party Harassment

A conduct that may be consensual between the two parties, but third parties who observe the behavior may find it offensive.

Example: Two female employees feel so tense and intimidated when they hear their male co-workers engage in conversations using vulgar language.

Refrain from conduct that is sexual in nature at work because the victim does not have to be the person harassed, but could be anyone affected by the offensive conduct.

Hostile Environment Harassment

Unwelcome and unwanted, and has an impact on an employee's job or work environ-

ment

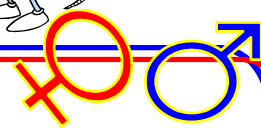
Example: A female employee has been refusing her male co-worker's invitations to lunch, and one day receives a letter from him saying, "I know you are worth knowing with or without sex." She is frightened and files a complaint.

- ◆ The behavior is unrelated to getting the work done.
- ◆ The receiver of the behavior has objected by saying, or otherwise indicating, "no," "stop," or "I don't like it."
- ◆ The behavior is deliberate.
- ◆ The behavior or similar behavior has been repeated so that a pattern has formed.
- ◆ The behavior or similar behavior interferes with other employees' work.
- ◆ A particular behavior creates an environment that is hostile, intimidating, or offensive for an employee.
- ◆ The employee feels demeaned, degraded, or embarrassed by the behavior.

EQUAL

EMPLOYMENT

OPPORTUNITY



Agency's liability

Harassment by a Supervisor

Example: Bob supervises a construction crew of two women and eight men. When Bob passes the two women, he stops and massages around their necks, sometimes brushing his hand across their breasts. Bob never touches the men.

Where a supervisor creates a hostile environment, the legal liability of the employer depends on several things. Obviously, a supervisor's capacity to create a hostile environment is enhanced by his/her supervisory authority. That supervisory authority could result in an employee enduring a harassing environment for fear of retaliation. How-

ever, an employer may be relieved of legal liability in these types of situations if it can show that it exercised reasonable care to prevent and resolve sexual harassment, and that the employee failed to take advantage of the employer's resolution processes.

In this case, if the employees' second line manager or upper management takes actions to stop the harassment, they may not be held responsible for Bob's action. However, if they ignore the situation, and do not take reasonable action to resolve the problem, then the employer could be held liable for Bob's conduct.

Agency's liability



Harassment by Co-workers

Example: Jon's co-worker, Sylvia, places nude pinups in her office. She also runs her hand up and down Jon's leg whenever they work together. Jon reported the situation to his supervisor several months ago, but the supervisor has not yet spoken to Sylvia.

The agency could be liable because a supervisor knew about Sylvia's conduct and did not take immediate corrective action.

An employer is considered legally liable for acts of sexual harassment of an employee by a co-worker if a supervisor or other agent of the employer (such as HR office, legal counsel, etc) knows or should have known of the harassing con-

duct. If, however, the employer can show that it took immediate and appropriate corrective action, it might not be held responsible for harassment.

Harassment by a Customer, Client, or Vendor

Example: Gail works as an office manager for an accounting firm. Her job includes scheduling the maintenance and repair of office machines, computers, and the like. Computer maintenance is handled through a service contract. Whenever Pete, one of the technicians assigned to the account, comes out on a service call, he tries to touch Gail and asks her for a date. Gail has repeatedly turned him down and asked him not to touch her.

The last time he came out, Pete tried to brush against her. When he left, Gail told her boss about Pete's behavior. Her boss immediately called Pete's employer and told them to cancel their contract if Pete wasn't disciplined and removed from the account. The contractor removed Pete from the account and after an investigation of the incident, terminated him.

Employers are responsible for the behavior of not just their employees but also of visitors to their work sites. This includes customers, clients, vendors, etc. Gail's employer could have been held responsible if they had not done anything to resolve the

problem after being informed of the situation, and had the option of terminating the service because of the harassment.

If the supervisor had not taken any action to resolve the harassment, or if Gail did not feel comfortable speaking to the supervisor, she could contact an EEO counselor even if she did not want to file a complaint and just wanted the behavior to stop.

Gail has 45 days from the day the alleged incident happened to contact the EEO office, and she can remain anonymous during the informal process.



What do you do if Sexual Harassment Occurs?

It is recommended that you:

- ◆ Ask the person to stop the harassment either verbally or in writing if you feel comfortable doing so.
- ◆ Inform supervisor if you are comfortable
- ◆ Keep a journal of the harassment & document* when/where/how it happened, and who was involved
- ◆ Confide in a co-worker
- ◆ Find a witness(es) to the harassment

*Having documentation is

important in the event that victims decide to file a discrimination complaint. These documents make the harassment incidents more than a "he said/she said" situation when an investigation occurs. Victims should maintain their credibility by continuing to provide high-quality work and being courteous and respectful to co-workers.



"It's not the work of our life but the worry of life that robs us of our strength"



BRIG. F. FLOCK

COMMANDING GENERAL'S CONSOLIDATED POLICY STATEMENT ON EQUAL EMPLOYMENT OPPORTUNITY AND SEXUAL HARASSMENT

As Commanding General, Marine Corps Base, Camp Smedley D. Butler, I am personally committed to ensuring equal opportunity in employment through implementation of a strong Equal Employment Opportunity (EEO) and Prevention of Sexual Harassment program. This policy mandates equal opportunity for all United States employees and applicants for local employment, prohibiting discrimination based on race, color, religion, sex, national origin, age, or disability. All personnel policies, practices, and operations must be consistent with this mandate to comply with EEO regulatory guidelines.

Our Command's diversity is one of its most enduring strengths. A workplace free from unlawful discrimination is central to maintaining a mission-ready workforce. It is essential that we maintain an environment free of harassment, including physical or verbal conduct that creates an intimidating or hostile work environment for any individual.

I charge each of you within the Command, both military and civilians to do your part. Together, we will move forward in accomplishing the EEO goals mandated by the Commandant and the Secretary of the Navy.

Sespeo Fidelis

F. Flock
F. FLOCK

CHRO

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U.S. Employee & Labor Relations Section: 645-7548

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JN Labor Section:

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JN Classification: 645-5407
JN Employee/Labor Relations:
645-3364/3921



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TRAINING COURSES COMING UP



JULY:

- ♦ Language Allowance Degree Test for Japanese National employees —1 July
- ♦ Federal Budgeting for Non-Budgeting Personnel-22-23 July

AUGUST:

- ♦ Language Allowance Degree Test for Japanese National employees— 3 August
- ♦ U.S. New Employee Orientation — 5 August



Call 645-7689 or e-mail chrotraining2@mcbbutler.usmc.mil (MCBBUTLER CHRO Training on Global Address List) for questions.



Training announcements on the Web:
<https://ww1.mcbbutler.usmc.mil/chro/chrodata/training.asp>

